

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Joerg BERINGER)	Group Art Unit: 2445
Application No.: 10/649,377)	Examiner: Swearingen, Jeffrey R.
Filed: August 27, 2003)	Confirmation No.: 4602
For: COLLABORATIVE)	
CONVERSATION CHANNELS)	

Attention: Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
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Sir:

APPEAL BRIEF UNDER BOARD RULE § 41.37

In support of the Notice of Appeal filed November 15, 2010, and further to 37 C.F.R. 41.37(a)(1), Appellant presents this brief and encloses herewith a check for the fee of \$540.00 required under 37 C.F.R. 41.20(b)(2).

This Appeal responds to the final rejection of claims 1-8, 10-19, 21-25, 28, 29, 31, and 33-35 mailed August 13, 2010.

If any additional fees are required or if the enclosed payment is insufficient, Appellant requests that the required fees be charged to Deposit Account No. 06-0916.

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I. Real Party in Interest

The real party in interest is SAP AG, the assignee of record.

II. Related Appeals and Interferences

There are currently no other appeals or interferences, of which Appellant, Appellant's legal representative, or the assignee are aware, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of Claims

Claims 1-8, 10-19, 21-25, 28, 29, 31, and 33-35 stand as rejected. No claim is allowed or objected to. Claims 9, 20, 26, 27, 30, and 32 have been canceled. The final rejection of claims 1-8, 10-19, 21-25, 28, 29, 31, and 33-35 is being appealed. A list of the claims on appeal is found in the attached Claims Appendix. Furthermore, each pending claim of this patent application is separately patentable, and upon issuance of a patent will be entitled to a separate presumption of validity under 35 U.S.C. § 282.

IV. Status of Amendments

No amendment was filed subsequent to the Final Office Action mailed on August 13, 2010.

V. Summary of Claimed Subject Matter

The invention relates generally to methods and systems for providing collaborative conversation channels in a community.

Independent claim 1 is directed to method for facilitating communications among persons in an enterprise using a processor. *See*, for example, specification at paragraph 0005; and Figs. 1 and 4. The method includes defining communities within the enterprise. *See*, for example, specification at paragraphs 0006, 0023 and 0024; and Fig. 1, ref. 105. The method also includes associating collaborative conversation channels with the communities, wherein each one of the collaborative conversation channels is associated with a specific one of the defined communities. *See*, for example, specification at paragraphs 0006, 0023, 0026, and 0035.

The method also includes providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities and a member's role within the specific one of the defined communities. *See*, for example, specification at paragraphs 0031-0038; and Fig. 1, ref. 130.

The method also includes receiving, through the user interface, a request to send a message having a selected message type within a selected one of the collaborative conversation channels, wherein the selected message type is selected at the user interface and the message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific one of the defined communities. *See*, for example, specification at

paragraphs 0032-0037; and Fig. 1, ref. 155. The method further includes sending the message having the selected message type through the selected one of the collaborative conversation channels. *See*, for example, specification at paragraphs 0032-0038.

Independent claim 14 is directed to a system, including memory and at least one processor, for supporting collaboration in an enterprise. *See*, for example, specification at paragraphs 0047-0049; and Fig. 5, refs. 510 and 520. The system includes a portal accessible from a plurality of client devices. *See*, for example, specification at paragraphs 0041-0045; and Fig. 4, ref. 420. The system also includes a plurality of enterprise base systems. *See*, for example, specification at paragraphs 0044 and 0045; and Fig. 4, ref. 440.

The system further includes a collaborative conversation channel application, running on the processor, for providing members of a community with access through the portal to message templates for a collaborative conversation channel associated with the community, wherein the community relates to a particular topic, the message templates allow users to select message types associated with the particular topic and the user's role within the community and the collaborative conversation channel allows the users to send messages having the selected message type from each of the plurality of client devices to the members of the community using the enterprise base systems. *See*, for example, specification at paragraphs 0031-0038; and Fig. 1, ref. 130. The message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the user's role within the

community. See, for example, specification at paragraphs 0032-0037; and Fig. 1, ref. 155.

Independent claim 25 is directed to a computer-readable medium storing a computer-executable program which, when executed by a processor, performs a method. See, for example, specification at paragraphs 0046-0049. The method includes providing access to collaborative conversation channels through a user interface, with each one of the collaborative conversation channels associated with a specific community and having an associated set of message types that is based on a topic of the specific community and a member's role within the specific community. See, for example, specification at paragraphs 0031-0038; and Fig. 1, ref. 130.

The method also includes receiving, through the user interface, a request to access a template for a selected message type within one of the collaborative conversation channels, wherein the selected message type is selected at the user interface and the message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific community. See, for example, specification at paragraphs 0032-0037; and Fig. 1, ref. 155.

The method also includes presenting the template for the selected message type through the user interface. See, for example, specification at paragraphs 0033, 0034, and 0140; and Fig. 1, ref. 140. The method also includes receiving user input for the template through the user interface to create a message of the selected message type. See, for example, specification at paragraphs 0033, 0034, and 0140; and Fig. 1, ref. 145. The method further includes providing the message to a particular community

through the associated collaborative conversation channel. *See, for example,* specification at paragraph 0035; and Fig. 1, ref. 150.

Independent claim 29 is directed to a method for facilitating communications among persons in an enterprise using a processor. *See, for example,* specification at paragraph 0005; and Figs. 1 and 4. The method includes defining communities within the enterprise. *See, for example,* specification at paragraphs 0006, 0023 and 0024; and Fig. 1, ref. 105. The method also includes associating collaborative conversation channels with the communities, with each one of the collaborative conversation channels associated with a specific community. *See, for example,* specification at paragraphs 0006, 0023, 0026, and 0035.

The method also includes assigning a set of message types to each one of the collaborative conversation channels. *See, for example,* specification at paragraphs 0006, 0023, 0026, and 0035. The method also includes receiving a user selection of a specific message type, which is based on a topic of the specific one of the defined communities and a member's role within the specific one of the defined communities, for a selected collaborative conversation channel and user input comprising content of a message of the selected message type. *See, for example,* specification at paragraphs 0032-0037.

The method also includes automatically filtering the message according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific one of the defined communities. *See, for example,* specification at paragraphs 0032-0037; and Fig. 1, ref. 155. The method further includes sending the message to at least one member of the specific community

associated with the selected collaborative conversation channel. See, for example, specification at paragraphs 0032-0038.

VI. Grounds of Rejection

- A. The specification stands objected to;
- B. Claims 25 and 28 stand rejected under 35 U.S.C. § 112, second paragraph;
- C. Claims 25 and 28 stand rejected under 35 U.S.C. § 101;
- D. Claims 1-8, 10-19, 21, 23-25, 28, 29, 31, and 33-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,374,290 to Scharber et al. ("*Scharber*") in view of U.S. Patent No. 6,480,885 to Olivier ("*Olivier*"); and
- E. Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Scharber* and *Olivier*, further in view of U.S. Patent No. 6,493,703 to Knight et al. ("*Knight*").

VII. Argument

A. The specification provides sufficient antecedent basis for the claimed “computer-readable medium”

Appellant respectfully traverses the objection to the specification. The Examiner states that “the specification refers to a ‘machine-readable medium’, but does not mention or define a ‘computer-readable medium’.” (Final Office Action at page 3). Appellant respectfully disagrees.

Paragraph 0049 of the specification states, for example, “[a]s used herein, the term ‘machine-readable medium’ refers to any computer program product, apparatus and/or device used to provide machine instructions and/or data to the machine 500, including a machine-readable medium that receives machine instructions as a machine-readable signal. Examples of a machine-readable medium include the storage medium 535, the memory 520, and/or PLDs, FPGAs, ASICs, and the like.”

In addition, Fig. 5 illustrates a data processing system 500 that “includes a central processor 510, which executes programs, performs data manipulations and controls tasks in the system 500. The central processor 510 is coupled with a bus 515 that can include multiple busses, which may be parallel and/or serial busses” (specification at paragraph 0046).

Appellant submits that at least these passages of the specification provide sufficient antecedent basis for the claimed “computer-readable medium.” Therefore, Appellant requests that the objection be withdrawn. Moreover, Appellant reserves the right to file a petition if the objection is not withdrawn.

B. Claims 25 and 28 meet the requirements of 35 U.S.C. §112, second paragraph

Appellant respectfully traverses the rejection under 35 U.S.C. § 112, second paragraph. The Examiner states that “[t]here is insufficient antecedent basis for this limitation [“computer-readable medium”] in the specification” (Final Office Action at page 3). Appellant respectfully disagrees.

As stated above, at least paragraphs 0046 and 0049 provide sufficient antecedent basis for the claimed “computer-readable medium.” Therefore, Appellant requests that the rejection be withdrawn.

C. Claims 25 and 28 meet the requirements of 35 U.S.C. 101

Appellant respectfully traverses the rejection under 35 U.S.C. § 101. The Examiner states that “the lack of an explicit definition for a computer-readable medium in the specification allows the broadest reasonable interpretation of computer-readable media to encompass signals per se” (Final Office Action at page 3). Appellant respectfully disagrees.

Independent claim 25 recites a “computer-readable medium storing a computer-executable program which, when executed by a processor, performs a method.” Thus, independent claim 25 positively recites a specific data structure that is stored in a computer-readable storage medium. Claim 25 thus falls squarely within the categories of patentable subject matter. Dependent claim 28 depends from independent claim 25 and, accordingly, meets the requirements of 35 U.S.C. § 101 at least due to its dependence. Accordingly, Appellant respectfully requests withdrawal of the rejection.

D. Claims 1-8, 10-19, 21, 23-25, 28, 29, 31, and 33-35 are not obvious over Scharber and Olivier

Appellant respectfully traverses the rejection under 35 U.S.C. § 103(a). A *prima facie* case of obviousness has not been established.

The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. See M.P.E.P. § 2142, 8th Ed., Rev. 6 (Sept. 2007). Such an analysis should be made explicit and cannot be premised upon mere conclusory statements. See *id.* “A conclusion of obviousness requires that the reference(s) relied upon be enabling in that it put the public in possession of the claimed invention.” M.P.E.P. § 2145. Furthermore, “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art” at the time the invention was made. M.P.E.P. § 2143.01(III), internal citation omitted. Moreover, “[i]n determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious.” M.P.E.P. § 2141.02(I), internal citations omitted (emphasis in original). In this application, a *prima facie* case of obviousness has not been established because the Office Action has not clearly articulated a reason why one of ordinary skill would find the claimed combination obvious in view of the cited references.

Claims 1 recites a method including, for example:

providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a

topic of the specific one of the defined communities and a member's role within the specific one of the defined communities; [and]

receiving, through the user interface, a request to send a message having a selected message type within a selected one of the collaborative conversation channels, wherein the selected message type is selected at the user interface and the message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific one of the defined communities . . .

(emphasis added).

Scharber discloses “a method of information distribution including developing a plurality of virtual communities” (col. 2, lines 13-15). However, the Examiner correctly states that *Scharber* fails to teach or suggest a “member’s role” within a community (Final Office Action at page 5). Therefore, *Scharber* does not teach or suggest “each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities and a member’s role within the specific one of the defined communities,” as recited in claim 1.

Olivier does not cure the deficiencies of *Scharber*. *Olivier* discloses “a method for users to exchange group electronic mail by establishing individual profiles” (col. 3, lines 9-10). According to *Olivier*, a user may visit a website and subscribe to a mailing list. The user may specify user profile data and acceptance criteria data (col. 5, lines 23-32). For example, a user may send a message to a school about the user’s child. First, the user signs up for the school mailing list and specifies profile and criteria information, including location and geography of interest (col. 5, lines 54-56). Based on this information, the system in *Olivier* may calculate matches between the user and other people on the school mailing list (col. 5, lines 56-59). After the user sends an

email, the email server may receive the message and retrieve the user's information. Based on the retrieved information, the email server sends the message only to those people that match the user's information (col. 5, lines 61-65).

However, *Olivier* still fails to teach or suggest a message that is automatically filtered according to "a member's role within the associated community." Even assuming that the school mailing list in *Olivier* could correspond to the claimed "defined communities," which Appellant does not concede, there is no teaching or suggestion in *Olivier* of a "member's role." *Olivier* merely discloses sending a message from a user to those people that match the user's information.

The Examiner states that Fig. 4 of *Olivier* discloses the claimed "topic of the specific one of the defined communities and a member's role within the specific one of the defined communities" (Final Office Action at page 2). This is not correct.

According to Fig. 4 of *Olivier*, a neighborhood mailing list exists. A user may select the appropriate profile data (ref. 402) and acceptance criteria data (ref. 406). The user may also select message acceptance criteria data (ref. 412). Even assuming that ref. 412 in *Olivier* could correspond to the claimed "associated set of message types," which Appellant does not concede, there is no teaching or suggestion in *Olivier* that exchanging email about news or recommendations is based on both 1) "a topic of the specific one of the defined communities," and 2) "a member's role within the specific one of the defined communities," as recited in claim 1.

On the contrary, email about news or recommendations is independent of any user profile data or acceptance criteria data. Accordingly, any "associated set of message types" that may exist in *Olivier* is not based on 1) "a topic of the specific one of

the defined communities,” as well as 2) “a member’s role within the specific one of the defined communities,” as recited in claim 1.

The Examiner states that the selection of “Resident” or “Business” in Fig. 4 of *Olivier* teaches the claimed “member’s role within the specific one of the defined communities” (Final Office Action at page 2). This is not correct.

Claim 1 requires “collaborative conversation channels” that have “an associated set of message types” based on both 1) “a topic of the specific one of the defined communities,” and 2) “a member’s role within the specific one of the defined communities.” Fig. 4 of *Olivier* illustrates user selection of a profile, and the information based on the selection is used for “collecting subscription user profile data” (col. 9, lines 2-3). However, there is no teaching or suggestion in *Olivier* that this user profile data corresponds to a member’s role in a community. The user profile data is merely used to collect data, but is not related to a “member’s role” within a “specific one of the defined communities.”

Moreover, there is no teaching or suggestion in *Olivier* that any message type is based on both a “topic” and a “member’s role.” In contrast, the user selection in Fig. 4 provides for a selection of a desired subject that exists without regard to a “topic” and without regard to a “member’s role.” Any message type that may exist in *Olivier* is not based on a “topic of the specific one of the defined communities and a member’s role within the specific one of the defined communities.”

Therefore, the user selection in boxes 402 and 412 in *Olivier* merely provides profile data and is not used as an “associated set of message types” based on 1) “a

topic of the specific one of the defined communities,” and 2) “a member’s role within the specific one of the defined communities,” as recited in claim 1.

As outlined above, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention. Therefore, no reason has been clearly articulated as to why the claim would have been obvious to one of ordinary skill in view of the prior art and a *prima facie* case of obviousness has not been established.

Claim 1 is thus allowable for at least these reasons, and claims 2-8 and 10-13 are also allowable at least due to their depending from claim 1.

Independent claims 14, 25, and 29, while of a different scope, are allowable over *Scharber* and *Olivier* for reasons similar to that discussed above for claim 1. Claims 15-19, 21, 23, 24, 28, 31, and 33-35 are also allowable at least due to their dependence from independent claims 14, 25, or 29.

E. Dependent claim 22 is not obvious over *Scharber*, *Olivier*, and *Knight*

Regarding the rejection of claim 22, which depends from independent claim 14, the Examiner relies on *Knight* for allegedly disclosing “a news reader existed that assigned icons for each news article” (Final Office Action at page 13). Even assuming this is correct, which Appellant does not concede, *Knight* still fails to cure the deficiencies of *Scharber* and *Olivier* discussed above. Therefore, claim 22 is also allowable over *Scharber*, *Olivier*, and *Knight* for at least the same reasons as claim 14.

Therefore, a *prima facie* case of obviousness has not been established for claim 22, and the rejection under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

For at least the reasons given above, pending claims 1-8, 10-19, 21-25, 28, 29, 31, and 33-35 are allowable over the applied references. Therefore, Appellant respectfully requests the Board to reverse the Examiner's rejections of the claims.

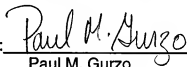
To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 11, 2011

By: _____



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VIII. Claims Appendix to Appeal Brief Under Rule 41.37(c)(1)(viii)

1. A method for facilitating communications among persons in an enterprise using a processor, the method comprising:

defining communities within the enterprise;

associating collaborative conversation channels with the communities wherein each one of the collaborative conversation channels is associated with a specific one of the defined communities;

providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities and a member's role within the specific one of the defined communities;

receiving, through the user interface, a request to send a message having a selected message type within a selected one of the collaborative conversation channels, wherein the selected message type is selected at the user interface and the message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific one of the defined communities; and

sending the message having the selected message type through the selected one of the collaborative conversation channels.

2. The method of claim 1 further comprising:

identifying members of a specific community; and
providing the identified members with access to one of the collaborative
conversation channels that corresponds to the particular community.

3. The method of claim 1 wherein each one of the defined communities includes
members with one of a common fortune or a common interest.

4. The method of claim 1 further comprising constructing the collaborative
conversation channels in accordance with at least one generic channel type.

5. The method of claim 4 wherein the generic channel type is selected from a
group consisting of an operational channel, a strategic channel, and an educational
channel.

6. The method of claim 1 wherein the set of message types includes predefined
message templates.

7. The method of claim 1 wherein users obtain an implicit subscription to a
collaborative conversation channel by becoming a member of one of the defined
communities associated with one of the collaborative conversation channels.

8. The method of claim 1 wherein users obtain an implicit subscription to one of
the collaborative conversation channels based on information in personal user profiles.

10. The method of claim 1 further comprising providing filters for filtering the message received through one of the collaborative conversation channels based on at least one of a community type for one of the defined communities associated with one of the collaborative conversation channels and a channel type for one of the collaborative conversation channels.

11. The method of claim 10 wherein the filters are pre-configured based on a pre-configured community.

12. The method of claim 1 further comprising providing a predefined set of message types based on at least one of a community type for one of the defined communities associated with one of the collaborative conversation channels, a channel type for one of the collaborative conversation channels, and a community role for members of one of the defined communities associated with one of the collaborative conversation channels.

13. The method of claim 1 further comprising providing access to a community place for each one of the defined communities having collaborative components that are based on a community type for each one of the defined communities, wherein access to one of the collaborative conversation channels is provided through the community place.

14. A system, including memory and at least one processor, for supporting collaboration in an enterprise, the system comprising:

a portal accessible from a plurality of client devices;

a plurality of enterprise base systems; and

a collaborative conversation channel application, running on the processor, for providing members of a community with access through the portal to message templates for a collaborative conversation channel associated with the community, wherein the community relates to a particular topic, the message templates allow users to select message types associated with the particular topic and the user's role within the community and the collaborative conversation channel allows the users to send messages having the selected message type from each of the plurality of client devices to the members of the community using the enterprise base systems,

wherein the message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the user's role within the community.

15. The system of claim 14 wherein the enterprise base systems comprise applications for facilitating communications.

16. The system of claim 15 wherein the enterprise base systems include a message server for sending messages to the community through the collaborative conversation channel.

17. The system of claim 14 wherein the collaborative conversation channel application allows users to list a plurality of available collaborative conversation channels.

18. The system of claim 14 wherein the collaborative conversation channel application allows users to search for a collaborative conversation channel.

19. The system of claim 14 wherein the collaborative conversation channel application provides a user interface for display on the client devices.

21. The system of claim 14 wherein messages sent through the collaborative conversation channel are received by members of the community in a message center of the portal.

22. The system of claim 21 wherein messages received in the message center have an associated icon to indicate the message type.

23. The system of claim 21 wherein each message received in the message center includes an identification of the community to which the message relates.

24. The system of claim 14 wherein the collaborative conversation channel filters the sending of messages to each member of the community based on a community type.

25. A computer-readable medium storing a computer-executable program which, when executed by a processor, performs a method comprising:

providing access to collaborative conversation channels through a user interface, with each one of the collaborative conversation channels associated with a specific community and having an associated set of message types that is based on a topic of the specific community and a member's role within the specific community;

receiving, through the user interface, a request to access a template for a selected message type within one of the collaborative conversation channels, wherein the selected message type is selected at the user interface and the message is automatically filtered according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific community;

presenting the template for the selected message type through the user interface;

receiving user input for the template through the user interface to create a message of the selected message type; and

providing the message to a particular community through the associated collaborative conversation channel.

28. The computer-readable medium of claim 25 wherein filtering of messages is further based on a community type of the particular community.

29. A method for facilitating communications among persons in an enterprise using a processor, the method comprising:

- defining communities within the enterprise;
- associating collaborative conversation channels with the communities, with each one of the collaborative conversation channels associated with a specific community;
- assigning a set of message types to each one of the collaborative conversation channels;
- receiving a user selection of a specific message type, which is based on a topic of the specific one of the defined communities and a member's role within the specific one of the defined communities, for a selected collaborative conversation channel and user input comprising content of a message of the selected message type;
- automatically filtering the message according to the selected message type and according to pre-configured filter profiles corresponding to the member's role within the specific one of the defined communities; and
- sending the message to at least one member of the specific community associated with the selected collaborative conversation channel.

31. The method of claim 29 wherein filtering the message is further based on a user profile associated with each of the members.

33. The method of claim 29 further comprising automatically associating filtering parameters with each of the members based on a community type for each one of the

defined communities and a channel type for each one of the collaborative conversation channels.

34. The method of claim 33 wherein each one of the collaborative conversation channels comprises one of an operational channel and a strategic channel.

35. The method of claim 29 further comprising providing the members of the specific community with the set of message types, wherein the message types in the set are based on a community type for each one of the defined communities, a channel type for each one of the collaborative conversation channels, and a role of the member within each one of the defined communities.

IX. Evidence Appendix to Appeal Brief Under Rule 41.37(c)(1)(ix)

None.

X. Related Proceedings Appendix to Appeal Brief Under Rule 41.37(c)(1)(x)

None.